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**FILED**

**DEC 13 2018**

Clerk, U.S. Courts  
District Of Montana  
Billings Division

**ATTORNEYS FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**LARRY WAYNE PRICE JR., *aka*  
*L.J. Price,***

**Defendant.**

**CR 18-85-BLG-DLC**

**SUPERSEDING INFORMATION**

**WIRE FRAUD**

**(Counts I-III)**

**Title 18 U.S.C. § 1343**

**(Penalty: 20 years imprisonment, \$250,000  
fine, and three years supervised release)**

**CONSPIRACY TO COMMIT MONEY  
LAUNDERING**

**(Count IV)**

**Title 18 U.S.C. § 1956(h)**

**(Penalty: 20 years imprisonment, a fine of  
\$500,000 or twice the value of the property  
involved in the transaction, whichever is  
greater, and three years supervised release)**

**CRIMINAL FORFEITURE**

**Title 18 U.S.C. § 981(a)(1)(A) and (C)**

**Title 28 U.S.C. § 2461(c)**

THE U.S. ATTORNEY CHARGES:

COUNTS I-III

WIRE FRAUD

THE SCHEME TO DEFRAUD – NINETY M

That beginning on or about March 29, 2017, and continuing thereafter until on or about January 9, 2018, at Billings and within Yellowstone County, in the State and District of Montana, and elsewhere, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, devised and executed a material scheme and artifice to obtain money by means of material false and fraudulent pretenses, representations, and promises. Specifically, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, while serving as the manager of Ninety M, L.L.C., a Wyoming company engaged in coal mining activities (“Ninety M”), falsely solicited approximately \$13,500,000 from the owners of Ninety M for the purchase of real property, mining equipment, and supplies knowing that a substantial portion of that amount would not be used for the purchase of real property, mining equipment and supplies, and instead would be misappropriated for Price’s personal use.

INTERSTATE WIRE

On or about July 3, 2017, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, for the purpose of executing the scheme described above, did

knowingly cause to be transmitted in interstate commerce by means of wire communications, an electronic transfer between an account at Summit Community Bank in West Virginia and an account at Rocky Mountain Bank in Billings Montana, which represented the transfer of approximately \$3,990,000.00, all in violation of 18 U.S.C. § 1343.

## COUNT II

### WIRE FRAUD

#### THE SCHEME TO DEFRAUD – THREE BLIND MICE

That beginning on or about October 6, 2016, and continuing thereafter until on or about January 31, 2018, at Billings and within Yellowstone County, in the State and District of Montana, and elsewhere, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, devised a material scheme and artifice to obtain money by false and fraudulent pretenses, representations, and promises. Specifically, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, fraudulently induced the owners of Three Blind Mice, LLC, a Wyoming company engaged in coal mining activities, to loan him \$7.5 million for the purchase and installation of equipment related to coal mining, knowing there were no plans to purchase and install coal mining equipment and that Price would misappropriate the funds for his personal use and default on the loan.

## INTERSTATE WIRE

On or about October 6, 2016, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, for the purpose of executing the scheme described above, did knowingly cause to be transmitted in interstate commerce by means of wire communications, an electronic transfer between an account at First Interstate Bank in Casper, Wyoming and an account at Rocky Mountain Bank in Billings Montana, which represented the transfer of approximately \$2,500,000.00, all in violation of 18 U.S.C. § 1343.

## COUNT III

### WIRE FRAUD

#### THE SCHEME TO DEFRAUD – SIGNAL PEAK ENERGY

That beginning on or about March 24, 2017, and continuing thereafter until on or about January 31, 2018, at Billings and within Yellowstone County, in the State and District of Montana, and elsewhere, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, devised a material scheme and artifice to obtain money by false and fraudulent pretenses, representations, and promises. Specifically, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, fraudulently induced Signal Peak Energy, a Montana company engaged in coal mining activities (“Signal Peak”), to purchase equipment related to coal mining from Peter’s

Equipment Company (“PEC”), a company operating in Virginia, knowing that PEC would not actually provide the purchased equipment to Signal Peak. PEC then funneled the money back to Price through a bank account in Montana registered to 3 Solutions, LLC, an entity controlled by Price. This scheme defrauded Signal Peak of approximately \$2,396,134.00.

#### INTERSTATE WIRE

On or about March 30, 2017, at Billings and within Yellowstone County, in the State and District of Montana, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, for the purpose of executing the scheme described above, did knowingly cause to be transmitted in interstate commerce by means of wire communications, an electronic transfer between an account at Stockman Bank in Billings, Montana and an account at First Century Bank in Bluefield, West Virginia, which represented the transfer of approximately \$750,000.00, all in violation of 18 U.S.C. § 1343.

#### COUNT IV

That beginning in approximately October 2016, and continuing until on or about January 31, 2018, at Billings and within Yellowstone County, in the State and District of Montana and elsewhere, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, knowingly conspired and agreed with others to commit certain offenses under 18 U.S.C. § 1956(a)(1)(B)(i), and knowingly conducted and

attempted to conduct financial transactions affecting interstate commerce, which transactions involved the proceeds of specified unlawful activity, that is wire fraud, as more fully described in counts I-III, and further conducted the financial transactions with the intent to disguise the nature, location, source, ownership, or control of the proceeds of the specified unlawful activity, all in violation of 18 U.S.C. § 1956(h).

### FORFEITURE ALLEGATION

Upon conviction of any offense set forth in this superseding information, the defendant, LARRY WAYNE PRICE JR., *aka L.J. Price*, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(A) and (C) and 28 U.S.C. § 2461(c), any property, real and personal, which constitutes and is derived from proceeds traceable to said offense, and property, real or personal, involved in a transaction or attempted transaction in violation of 18 U.S.C. § 1956 or any property traceable to such property. The property includes, but is not limited to, the following:

- Lot 1, Block 1, of Price Subdivision, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said county, under Document No. 3724345, together with all buildings, improvements, fixtures, easements, and appurtenances thereto;
- Lot 2, Block 1, of Price Subdivision, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said county, under Document No. 3724345, together with all buildings, improvements, fixtures, easements, and appurtenances thereto;

- Lot 3, Block 1, of Price Subdivision, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said county, under Document No. 3724345, together with all buildings, improvements, fixtures, easements, and appurtenances thereto;
- Lot 4, Block 1, of Price Subdivision, in the City of Billings, Yellowstone County, Montana, according to the official plat on file in the office of the Clerk and Recorder of said county, under Document No. 3724345, together with all buildings, improvements, fixtures, easements, and appurtenances thereto;
- a 2017 Anthem 44B Class A Diesel RV, VIN 4VZAU1D92HC08412;
- a 2016 Quantum RS26 Class C Motorhome, VIN 1FDXE4F86GDC25523.
- 1071 Lodge Drive, Bastian, VA 24314, Parcel ID #74A22;
- 5875 Whispering Woods Drive, Billings, MT 59106, Tax ID : A30501;
- 3533 Ferncliff Road, Pulaski, VA 24301, Tax ID 092-007-0000-0008;
- 6957 Owens Road, Radford, VA 24141, Tax ID 075-002-0001-0017;
- 2017 Trailstar Boat Trailer, VIN: 4TM19GH18HB00102;
- 2017 Big Tex Trailer 14ET34SFGN, VIN: 16VEX3424F2000941;
- 2017 Trailstar Boat Trailer, VIN: 4TM13MU25HB001075;
- 2018 Load Rite Boat Trailer, VIN: 5A4JG6X25J2010168;
- 2017 Tracker, Hull ID No. BUJ31030E617;
- 2017 Ranger, Hull ID No. RGR12251A617;
- 2017 Tracker, Hull ID No. BUJ10087A717;
- 2017 Ranger, Hull ID No. RGR12251A617;

- 2017 Sea Ray, Hull ID No. SERV1829J617;
- Jewelry purchased after October 1, 2016; and
- A personal money judgment in the amount of \$23,396,134.00 (in that such sum in aggregate was obtained directly or indirectly as a result of said offenses or is traceable to such property);

The United States of America shall be entitled to forfeiture of substitute property, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), if any property that constitutes and is derived from the proceeds traceable to any offense set forth in Counts I-IV:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. had been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided

without difficulty.

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KURT G. ALME  
United States Attorney



(FVL) JOSEPH E. THAGGARD  
Criminal Chief Assistant U.S. Attorney